

SECOND REGULAR SESSION

HOUSE BILL NO. 1756

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DETHROW (Sponsor), KRAUS, WILSON (119), NOLTE, KOMO, KINGERY, SATER, MOLENDORP, PRATT, SCHAAF, FISHER (125), DOUGHERTY, SMITH (150), DENISON, DUSENBERG, SANDER, SCHAD, RUESTMAN, BURLISON, NIEVES AND EMERY (Co-sponsors).

3717L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 571.101, 571.104, and 571.111, RSMo, and to enact in lieu thereof three new sections relating to concealed carry endorsements, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 571.101, 571.104, and 571.111, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 571.101, 571.104, and 571.111, to read as follows:

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, canceled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 15 (1) Is at least [twenty-three] **eighteen** years of age, is a citizen of the United States and
16 either:
- 17 (a) Has assumed residency in this state; or
- 18 (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member
19 of the military[;] **and complies with the provisions of subdivision (7) or (8) of subsection 1**
20 **of section 571.111; and**
- 21 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
22 crime punishable by imprisonment for a term exceeding one year under the laws of any state or
23 of the United States other than a crime classified as a misdemeanor under the laws of any state
24 and punishable by a term of imprisonment of one year or less that does not involve an explosive
25 weapon, firearm, firearm silencer or gas gun;
- 26 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one
27 or more misdemeanor offenses involving crimes of violence within a five-year period
28 immediately preceding application for a certificate of qualification for a concealed carry
29 endorsement or if the applicant has not been convicted of two or more misdemeanor offenses
30 involving driving while under the influence of intoxicating liquor or drugs or the possession or
31 abuse of a controlled substance within a five-year period immediately preceding application for
32 a certificate of qualification for a concealed carry endorsement;
- 33 (4) Is not a fugitive from justice or currently charged in an information or indictment
34 with the commission of a crime punishable by imprisonment for a term exceeding one year under
35 the laws of any state of the United States other than a crime classified as a misdemeanor under
36 the laws of any state and punishable by a term of imprisonment of two years or less that does not
37 involve an explosive weapon, firearm, firearm silencer, or gas gun;
- 38 (5) Has not been discharged under dishonorable conditions from the United States armed
39 forces;
- 40 (6) Has not engaged in a pattern of behavior, documented in public records, that causes
41 the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- 42 (7) Is not adjudged mentally incompetent at the time of application or for five years prior
43 to application, or has not been committed to a mental health facility, as defined in section
44 632.005, RSMo, or a similar institution located in another state following a hearing at which the
45 defendant was represented by counsel or a representative;
- 46 (8) Submits a completed application for a certificate of qualification as [defined]
47 **described** in subsection 3 of this section;
- 48 (9) Submits an affidavit attesting that the applicant complies with the concealed carry
49 safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- 50 (10) Is not the respondent of a valid full order of protection which is still in effect.

51 3. The application for a certificate of qualification for a concealed carry endorsement
52 issued by the sheriff of the county of the applicant's residence shall contain only the following
53 information:

54 (1) The applicant's name, address, telephone number, gender, and date and place of birth;

55 (2) An affirmation that the applicant has assumed residency in Missouri or is a member
56 of the armed forces stationed in Missouri or the spouse of such a member of the armed forces
57 and is a citizen of the United States;

58 (3) An affirmation that the applicant is at least twenty-three years of age;

59 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime
60 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
61 United States other than a crime classified as a misdemeanor under the laws of any state and
62 punishable by a term of imprisonment of one year or less that does not involve an explosive
63 weapon, firearm, firearm silencer, or gas gun;

64 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered
65 a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence
66 within a five-year period immediately preceding application for a certificate of qualification to
67 obtain a concealed carry endorsement or if the applicant has not been convicted of two or more
68 misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs
69 or the possession or abuse of a controlled substance within a five-year period immediately
70 preceding application for a certificate of qualification to obtain a concealed carry endorsement;

71 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
72 in an information or indictment with the commission of a crime punishable by imprisonment for
73 a term exceeding one year under the laws of any state or of the United States other than a crime
74 classified as a misdemeanor under the laws of any state and punishable by a term of
75 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
76 silencer or gas gun;

77 (7) An affirmation that the applicant has not been discharged under dishonorable
78 conditions from the United States armed forces;

79 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
80 of application or for five years prior to application, or has not been committed to a mental health
81 facility, as defined in section 632.005, RSMo, or a similar institution located in another state,
82 except that a person whose release or discharge from a facility in this state pursuant to chapter
83 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years
84 ago without subsequent recommitment may apply;

85 (9) An affirmation that the applicant has received firearms safety training that meets the
86 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

87 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
88 not the respondent of a valid full order of protection which is still in effect; and

89 (11) A conspicuous warning that false statements made by the applicant will result in
90 prosecution for perjury pursuant to the laws of the state of Missouri.

91 4. An application for a certificate of qualification for a concealed carry endorsement shall
92 be made to the sheriff of the county or any city not within a county in which the applicant
93 resides. An application shall be filed in writing, signed under oath and under the penalties of
94 perjury, and shall state whether the applicant complies with each of the requirements specified
95 in subsection 2 of this section. In addition to the completed application, the applicant for a
96 certificate of qualification for a concealed carry endorsement must also submit the following:

97 (1) A photocopy of a firearms safety training certificate of completion or other evidence
98 of completion of a firearms safety training course that meets the standards established in
99 subsection 1 or 2 of section 571.111; and

100 (2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11
101 of this section.

102 5. Before an application for a certificate of qualification for a concealed carry
103 endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary
104 into the accuracy of the statements made in the application. The sheriff may require that the
105 applicant display a Missouri driver's license or nondriver's license or military identification and
106 orders showing the person being stationed in Missouri. In order to determine the applicant's
107 suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall
108 be fingerprinted. The sheriff shall request a criminal background check through the appropriate
109 law enforcement agency within three working days after submission of the properly completed
110 application for a certificate of qualification for a concealed carry endorsement. If no
111 disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall
112 be forwarded to the Federal Bureau of Investigation for a national criminal history record check.
113 Upon receipt of the completed background check, the sheriff shall issue a certificate of
114 qualification for a concealed carry endorsement within three working days. The sheriff shall
115 issue the certificate within forty-five calendar days if the criminal background check has not been
116 received, provided that the sheriff shall revoke any such certificate and endorsement within
117 twenty-four hours of receipt of any background check that results in a disqualifying record, and
118 shall notify the department of revenue.

119 6. The sheriff may refuse to approve an application for a certificate of qualification for
120 a concealed carry endorsement if he or she determines that any of the requirements specified in
121 subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable
122 reason to believe that the applicant has rendered a false statement regarding any of the provisions

123 of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required
124 to deny the application, and notify the applicant in writing, stating the grounds for denial and
125 informing the applicant of the right to submit, within thirty days, any additional documentation
126 relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff
127 shall reconsider his or her decision and inform the applicant within thirty days of the result of
128 the reconsideration. The applicant shall further be informed in writing of the right to appeal the
129 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews
130 and denials by the sheriff, the person submitting the application shall appeal the denial pursuant
131 to subsections 2, 3, 4, and 5 of section 571.114.

132 7. If the application is approved, the sheriff shall issue a certificate of qualification for
133 a concealed carry endorsement to the applicant within a period not to exceed three working days
134 after his or her approval of the application. The applicant shall sign the certificate of
135 qualification in the presence of the sheriff or his or her designee and shall within seven days of
136 receipt of the certificate of qualification take the certificate of qualification to the department of
137 revenue. Upon verification of the certificate of qualification and completion of a driver's license
138 or nondriver's license application pursuant to chapter 302, RSMo, the director of revenue shall
139 issue a new driver's license or nondriver's license with an endorsement which identifies that the
140 applicant has received a certificate of qualification to carry concealed weapons issued pursuant
141 to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's
142 license or nondriver's license. The requirements for the director of revenue to issue a concealed
143 carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the
144 certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall
145 allow the person issued such certificate to carry a concealed weapon pursuant to the requirements
146 of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the
147 director of revenue from October 11, 2003, until the concealed carry endorsement is issued by
148 the director of revenue on or after July 1, 2004, unless such certificate of qualification has been
149 suspended or revoked for cause.

150 8. The sheriff shall keep a record of all applications for a certificate of qualification for
151 a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance
152 of a certificate of qualification to the Missouri uniform law enforcement system. All information
153 on any such certificate that is protected information on any driver's or nondriver's license shall
154 have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's
155 status as a holder of a certificate of qualification or a concealed carry endorsement shall not be
156 public information and shall be considered personal protected information. Any person who
157 violates the provisions of this subsection by disclosing protected information shall be guilty of
158 a class A misdemeanor.

159 9. Information regarding any holder of a certificate of qualification or a concealed carry
160 endorsement is a closed record.

161 10. For processing an application for a certificate of qualification for a concealed carry
162 endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a
163 nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the
164 county to the credit of the sheriff's revolving fund.

165 11. For processing a renewal for a certificate of qualification for a concealed carry
166 endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a
167 nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to
168 the credit of the sheriff's revolving fund.

169 12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the
170 sheriff of any county or city not within a county or his or her designee and in counties of the first
171 classification the sheriff may designate the chief of police of any city, town, or municipality
172 within such county.

 571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to
2 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes
3 ineligible for such concealed carry endorsement under the criteria established in subdivisions (2),
4 (3), (4), (5), [and] **(6), (7), and (8)** of subsection 2 of section 571.101 or upon the issuance of a
5 valid full order of protection.

6 (2) When a valid full order of protection, or any arrest warrant, discharge, or
7 commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of
8 section 571.101, is issued against a person holding a concealed carry endorsement issued
9 pursuant to sections 571.101 to 571.121 upon notification of said order, warrant, discharge or
10 commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a
11 commitment proceeding or a full order of protection proceeding ruling that a person holding a
12 concealed carry endorsement presents a risk of harm to themselves or others, then upon
13 notification of such order, the holder of the concealed carry endorsement shall surrender the
14 driver's license or nondriver's license containing the concealed carry endorsement to the court,
15 to the officer, or other official serving the order, warrant, discharge, or commitment.

16 (3) The official to whom the driver's license or nondriver's license containing the
17 concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license
18 upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's
19 license and clearly states the concealed carry endorsement has been suspended. The official shall
20 then transmit the driver's license or a nondriver's license containing the concealed carry
21 endorsement to the circuit court of the county issuing the order, warrant, discharge, or
22 commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121

23 shall be suspended until the order is terminated or until the arrest results in a dismissal of all
24 charges. Upon dismissal, the court holding the driver's license or nondriver's license containing
25 the concealed carry endorsement shall return it to the individual.

26 (4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
27 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
28 action and the driver's license or nondriver's license with the concealed carry endorsement to the
29 department of revenue. The department of revenue shall notify the sheriff of the county which
30 issued the certificate of qualification for a concealed carry endorsement and shall report the
31 change in status of the concealed carry endorsement to the Missouri uniform law enforcement
32 system. The director of revenue shall immediately remove the endorsement issued pursuant to
33 sections 571.101 to 571.121 from the individual's driving record within three days of the receipt
34 of the notice from the court. The director of revenue shall notify the licensee that he or she must
35 apply for a new license pursuant to chapter 302, RSMo, which does not contain such
36 endorsement. This requirement does not affect the driving privileges of the licensee. The notice
37 issued by the department of revenue shall be mailed to the last known address shown on the
38 individual's driving record. The notice is deemed received three days after mailing.

39 2. A concealed carry endorsement shall be renewed for a qualified applicant upon receipt
40 of the properly completed renewal application and the required renewal fee by the sheriff of the
41 county of the applicant's residence. The renewal application shall contain the same required
42 information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint
43 requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant
44 need only display his or her current driver's license or nondriver's license containing a concealed
45 carry endorsement. Upon successful completion of all renewal requirements, the sheriff shall
46 issue a certificate of qualification which contains the date such certificate was renewed.

47 3. A person who has been issued a certificate of qualification for a concealed carry
48 endorsement who fails to file a renewal application on or before its expiration date must pay an
49 additional late fee of ten dollars per month for each month it is expired for up to six months.
50 After six months, the sheriff who issued the expired certificate shall notify the director of
51 revenue that such certificate is expired. The director of revenue shall immediately cancel the
52 concealed carry endorsement and remove such endorsement from the individual's driving record
53 and notify the individual of such cancellation. The notice of cancellation of the endorsement
54 shall be conducted in the same manner as described in subsection 1 of this section. Any person
55 who has been issued a certificate of qualification for a concealed carry endorsement pursuant to
56 sections 571.101 to 571.121 who fails to renew his or her application within the six-month
57 period must reapply for a new certificate of qualification for a concealed carry endorsement and
58 pay the fee for a new application. The director of revenue shall not issue an endorsement on a

59 renewed driver's license or renewed nondriver's license unless the applicant for such license
60 provides evidence that he or she has renewed the certification of qualification for a concealed
61 carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to
62 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a
63 concealed carry endorsement does not want to maintain the concealed carry endorsement, the
64 applicant shall inform the director at the time of license renewal of his or her desire to remove
65 the endorsement. When a driver's or nondriver's license applicant informs the director of his or
66 her desire to remove the concealed carry endorsement, the director shall renew the driver's
67 license or nondriver's license without the endorsement appearing on the license if the applicant
68 is otherwise qualified for such renewal.

69 4. Any person issued a concealed carry endorsement pursuant to sections 571.101 to
70 571.121 shall notify the department of revenue and the sheriffs of both the old and new
71 jurisdictions of the endorsement holder's change of residence within thirty days after the
72 changing of a permanent residence. The endorsement holder shall furnish proof to the
73 department of revenue and the sheriff in the new jurisdiction that the endorsement holder has
74 changed his or her residence. The change of residence shall be made by the department of
75 revenue onto the individual's driving record and the new address shall be accessible by the
76 Missouri uniform law enforcement system within three days of receipt of the information.

77 5. Any person issued a driver's license or nondriver's license containing a concealed carry
78 endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her
79 designee of the endorsement holder's county or city of residence within seven days after actual
80 knowledge of the loss or destruction of his or her driver's license or nondriver's license
81 containing a concealed carry endorsement. The endorsement holder shall furnish a statement to
82 the sheriff that the driver's license or nondriver's license containing the concealed carry
83 endorsement has been lost or destroyed. After notification of the loss or destruction of a driver's
84 license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue
85 a new certificate of qualification within three working days of being notified by the concealed
86 carry endorsement holder of its loss or destruction. The reissued certificate of qualification shall
87 contain the same personal information, including expiration date, as the original certificate of
88 qualification. The applicant shall then take the certificate to the department of revenue, and the
89 department of revenue shall proceed on the certificate in the same manner as provided in
90 subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, RSMo,
91 the director of revenue shall issue a driver's license or nondriver's license containing a concealed
92 carry endorsement if the applicant is otherwise eligible to receive such license.

93 6. If a person issued a concealed carry endorsement changes his or her name, the person
94 to whom the endorsement was issued shall obtain a corrected certificate of qualification for a

95 concealed carry endorsement with a change of name from the sheriff who issued such certificate
96 upon the sheriff's verification of the name change. The endorsement holder shall furnish proof
97 of the name change to the department of revenue and the sheriff within thirty days of changing
98 his or her name and display his or her current driver's license or nondriver's license containing
99 a concealed carry endorsement. The endorsement holder shall apply for a new driver's license
100 or nondriver's license containing his or her new name. Such application for a driver's license or
101 nondriver's license shall be made pursuant to chapter 302, RSMo. The director of revenue shall
102 issue a driver's license or nondriver's license with concealed carry endorsement with the
103 endorsement holder's new name if the applicant is otherwise eligible for such license. The
104 director of revenue shall take custody of the old driver's license or nondriver's license. The name
105 change shall be made by the department of revenue onto the individual's driving record and the
106 new name shall be accessible by the Missouri uniform law enforcement system within three days
107 of receipt of the information.

108 7. A concealed carry endorsement shall be automatically invalid after thirty days if the
109 endorsement holder has changed his or her name or changed his or her residence and not notified
110 the department of revenue and sheriff of a change of name or residence as required in subsections
111 4 and 6 of this section.

571.111. 1. An applicant for a concealed carry endorsement shall demonstrate
2 knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant
3 for a concealed carry endorsement:

4 (1) Submits a photocopy of a certificate of firearms safety training course completion,
5 as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as
6 defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant completed a firearms
8 safety course given by or under the supervision of any state, county, municipal, or federal law
9 enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

11 (4) Submits proof that the applicant currently holds any type of valid peace officer
12 license issued under the requirements of chapter 590, RSMo; or

13 (5) Submits proof that the applicant is currently allowed to carry firearms in accordance
14 with the certification requirements of section 217.710, RSMo; or

15 (6) Submits proof that the applicant is currently certified as any class of corrections
16 officer by the Missouri department of corrections and has passed at least one eight-hour firearms
17 training course, approved by the director of the Missouri department of corrections under the
18 authority granted to him or her by section 217.105, RSMo, that includes instruction on the
19 justifiable use of force as prescribed in chapter 563, RSMo; **or**

20 **(7) Submits proof that the applicant is currently serving in the military services of**
21 **the national guard, the United States armed forces or any reserve component thereof,**
22 **presents a record of military handgun qualification, and files an affidavit with the sheriff**
23 **of the county or any city not within a county in which the applicant resides stating that the**
24 **applicant has knowledge of the laws relating to the justifiable use of force as prescribed in**
25 **chapter 563; or**

26 **(8) Submits proof that the applicant has received either an honorable discharge or**
27 **a general discharge under honorable conditions from the military services of the national**
28 **guard, the United States armed forces and any reserve component thereof, presents a**
29 **record of military handgun qualification, and files an affidavit with the sheriff of the**
30 **county or any city not within a county in which the applicant resides stating that the**
31 **applicant has knowledge of the laws relating to the justifiable use of force as prescribed in**
32 **chapter 563.**

33 2. A certificate of firearms safety training course completion may be issued to any
34 applicant by any qualified firearms safety instructor. On the certificate of course completion the
35 qualified firearms safety instructor shall affirm that the individual receiving instruction has taken
36 and passed a firearms safety course of at least eight hours in length taught by the instructor that
37 included:

38 (1) Handgun safety in the classroom, at home, on the firing range and while carrying the
39 firearm;

40 (2) A physical demonstration performed by the applicant that demonstrated his or her
41 ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or
42 her marksmanship with both;

43 (3) The basic principles of marksmanship;

44 (4) Care and cleaning of concealable firearms;

45 (5) Safe storage of firearms at home;

46 (6) The requirements of this state for obtaining a certificate of qualification for a
47 concealed carry endorsement from the sheriff of the individual's county of residence and a
48 concealed carry endorsement issued by the department of revenue;

49 (7) The laws relating to firearms as prescribed in this chapter;

50 (8) The laws relating to the justifiable use of force as prescribed in chapter 563, RSMo;

51 (9) A live firing exercise of sufficient duration for each applicant to fire a handgun, from
52 a standing position or its equivalent, a minimum of fifty rounds at a distance of seven yards from
53 a B-27 silhouette target or an equivalent target;

54 (10) A live fire test administered to the applicant while the instructor was present of
55 twenty rounds from a standing position or its equivalent at a distance from a B-27 silhouette
56 target, or an equivalent target, of seven yards.

57 3. A qualified firearms safety instructor shall not give a grade of passing to an applicant
58 for a concealed carry endorsement who:

59 (1) Does not follow the orders of the qualified firearms instructor or cognizant range
60 officer; or

61 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety
62 instructor, poses a danger to the applicant or to others; or

63 (3) During the live fire testing portion of the course fails to hit the silhouette portion of
64 the targets with at least fifteen rounds.

65 4. Qualified firearms safety instructors who provide firearms safety instruction to any
66 person who applies for a concealed carry endorsement shall:

67 (1) Make the applicant's course records available upon request to the sheriff of the
68 county in which the applicant resides;

69 (2) Maintain all course records on students for a period of no less than four years from
70 course completion date; and

71 (3) Not have more than forty students in the classroom portion of the course or more than
72 five students per range officer engaged in range firing.

73 5. A firearms safety instructor shall be considered to be a qualified firearms safety
74 instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement
75 pursuant to sections 571.101 to 571.121 if the instructor:

76 (1) Is a valid firearms safety instructor certified by the National Rifle Association
77 holding a rating as a personal protection instructor or pistol marksmanship instructor; or

78 (2) Submits a photocopy of a certificate from a firearms safety instructor's course offered
79 by a local, state, or federal governmental agency; or

80 (3) Submits a photocopy of a certificate from a firearms safety instructor course
81 approved by the department of public safety; or

82 (4) Has successfully completed a firearms safety instructor course given by or under the
83 supervision of any state, county, municipal, or federal law enforcement agency; or

84 (5) Is a certified police officer firearms safety instructor.

85 6. Any firearms safety instructor who knowingly provides any sheriff with false
86 information concerning an applicant's performance on the live fire exercise or test administered
87 to the applicant by the instructor pursuant to subdivision (9) or (10) of subsection 2 of this
88 section shall be guilty of a class C misdemeanor.

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